

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Filed By The Court

05/13/25 7:27 a.m.

U.S. BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

In re:

JACQUELINE ELIZABETH ARD AND
TERRY FRANK NICOLA

Chapter 13

Case No. 24-03611-JD)

Debtors.

NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s):

JACQUELINE ELIZABETH ARD AND TERRY FRANK NICOLA

2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

- ☐ Plaintiff
☐ Defendant
☐ Other (describe)

For appeals in a bankruptcy case and not in an adversary proceeding.

- ☒ Debtor
☐ Creditor
☐ Trustee
☐ Other (describe)

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from: Order from which the appeal is taken: *Order Denying Debtors' Motion For Damages For Violation of The Automatic Stay* [Docket No. 118] attached hereto as **Exhibit A**.
2. State the date on which the judgment, order, or decree was entered: April 29, 2025

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

<u>Party</u>	<u>Attorney</u>
1. John Curtis, Ralph Paine, Matthew Paul, Debra Schumann, and Janet Spinelli Board Members	Julie Franklin P.O. Drawer 2976 Bluffton, SC 29910 Telephone: (706) 452-1303 Email: jfranklinlegal@gmail.com
2. Julie A. Franklin	Pro se P.O. Drawer 2976 Bluffton, SC 29910 Telephone: (706) 452-1303 Email: jfranklinlegal@gmail.com
3. Evan K. Bromley	Pro se 211 Goethe Road Ste B Bluffton, SC 29910 Telephone: (843) 868-2801 Email: evan@bromleylawfirm.com

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below

Jacqueline E. Ard

By: 

Jacqueline E. Ard
239 Beach City Road unit 3218
Hilton Head Island, SC 29926
Mailing Address:
21215 Dartmouth Drive
Southfield, MI 48076
Telephone: (313) 770-7051

CERTIFICATE OF SERVICE

I certify that on May 13, 2025, I caused a true and correct copy of the foregoing document to be served by the Court's CM/ECF notification system, which will send notice of electronic filing to all counsel of record, and by First Class Mail prepaid to the parties listed below:

Julie Franklin

P.O. Drawer 2976
Bluffton, SC 29910

Evan K. Bromley

211 Goethe Road Ste B
Bluffton, SC 29910



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